

Remarks

In the office action, the declaration was objected to. Claims 1-32 were rejected under 35 U.S.C. §101 for failing to recite patentable subject matter. Claims 1-10, 14-26, and 30-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Visual Source Safe version 5.0 commercial product ("VSS") as documented by the cited manual from 1997 in view of the commercial product Clear Case by Atria as ("Clear Case") documented by the cited Concepts Manual from 1994. Claims 11-13 and 27-29 were deemed to be allowable if rewritten in independent form.

In this response, Applicants have amended claims 1, 11, 17, and 27. Claims 1-33 remain pending in this application. In view of the amendments and the following remarks, Applicants respectfully request withdrawal of the rejections.

A. Objections to the Declaration:

The declaration was objected to for not sufficiently acknowledging the duty of disclosure.

The declaration filed in this case included an acknowledgement of the inventor's duty to disclose information material to the examination of the application under 35 CFR § 1.56(a). Applicants submit that this is sufficient under the rules, since §1.56 (a) is the section relevant to materiality. Nevertheless, so as to remove any doubt, Applicants are currently in the process of obtaining a new declaration, and will file it with the Patent and Trademark Office as soon as possible.

B. Rejections under 35 U.S.C. § 101:

Claims 1-32 were rejected under 35 U.S.C. §101 for failing to recite patentable subject matter.

Applicants have amended claims 1 and 17 as suggested by the Examiner. Withdrawal of the rejections under 35 U.S.C. §101 is respectfully requested.

C. Rejections under 35 U.S.C. § 103(a):

Claims 1-10, 14-26, and 30-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over VSS in view of Clear Case.

VSS, which is mentioned in the Applicants' specification at paragraph [0003], is a web

management software product that includes version control management. Integration of VSS with a limited number of integrated development environment (IDEs), which have been programmed to support VSS is discussed. VSS teaches entering commands using a command line tool. Page 185-187. VSS is described as being integratable with some specifically adapted IDEs, such as Microsoft Visual Studio. Page 176 and 182. VSS may be used with other, non-Microsoft IDEs that support revision control systems, however, doing so requires additional steps that are not discussed in the cited document. See page 182. Moreover, some IDEs “there is simply no option of integrating with” VSS. Instead, VSS must be accessed separately using intricate batch files. Page 182-183. The VSS reference recognizes that an Application Program Interface may be used to communicate basic command information between VSS and the IDE running on a common operating system.

Clear Case, which is also mentioned in the Applicants’ specification at paragraph [0003], is a comprehensive software configuration management system including version control functionality. Clear case teaches storing versions in a shared data repository in the form of a Version Object Base (VOB), which can be distributed throughout a local area network. Pages 2 and 3.

Independent claim 1 recites a method executing on a computer readable medium for integrating a version control tool into an integrated development environment. The method includes the following steps:

- receiving a version control command;
- creating an object using the integrated development environment, the object including command information corresponding to the version control command;
- accessing the object using a version control adapter; and
- communicating the command information from the version control adapter to the version control tool.

Applicants respectfully submit that it would not have been obvious to combine VSS with Clear Case as suggested by the Examiner, and without the benefit of hindsight, to arrive at the Applicants claimed invention. Both VSS and Clear Case differ from the claimed invention in important ways. VSS does not teach the step of creating an object using the IDE that includes version control command information, nor accessing the object using a version control adapter, nor communicating the command information from the version control adapter to the version control tool. On the contrary, as Examiner points out, VSS merely describes an API for

communicating command information to the version control tool. The API is not capable of accessing an object and therefore can only communicate a limited number of basic general commands supported by the API. The Clear Case document does not teach the recited step of creating an object using an IDE, nor the step of accessing the object using a version control adapter, nor the step of communicating command information from a version control adapter to the version control tool. Moreover, both VSS and Clear Case have the disadvantage, as discussed in Applicants' specification, that they can be integrated, if at all, only with a limited number of IDEs that provide specific support for those tools. See paragraphs [0003] to [0005]. There is no suggested motivation for combining features to be found in either reference, since neither suggests a solution for integrating, in an effective manner, the version control functionality of VSS or Clear Case into an IDE that does not specifically support VSS or Clear Case.

Unlike either VSS or Clear Case, the claimed invention provides a solution to a problem not recognized by either of those references: providing an interface in the form of a version control adapter which is capable of accessing objects created by the IDE. In that way, the version control adapter can communicate, in a sophisticated manner, command information to the version control tool. The amount of functionality that needs to be hard-coded into the IDE itself to support a specific version control tool is thereby greatly reduced, and the task of integrating a wide range of IDEs with a specific version control tool made easier. See, for example, Applicants' specification at paragraph [0023].

Moreover, even if the references are combined in the selective manner suggested by the Examiner (improperly in Applicants' view), the combination would still not teach or suggest all of the recited elements. Specifically, neither reference nor the combination of both, teaches or suggests the step of accessing an object using a version control adapter. The API, taught in VSS and deemed by the Examiner to correspond to a version control adapter, is incapable of accessing an object of the IDE, and therefore is capable of understanding and communicating only a limited number of predetermined commands supported by the API.

The invention as recited in independent claims 17 and 33 and in new independent claims 11 and 27 are likewise not taught or suggested by either or both of VSS and Clear Case for similar reasons.

Withdrawal of the rejections to claims 1-10, 14-26, and 30-33 under 35 U.S.C. §103(a) is

D. Allowable Subject Matter:

Claims 11-13 and 27-29 were objected to for depending from a rejected claim, but were deemed to be allowable if rewritten in independent form. Applicants have rewritten claims 11 and 27 in independent form including all of the elements from the claim(s) from which they depend. Claims 12 and 13 depend from claim 11 and claims 28 and 29 depend from claim 27.

As conceded by the Examiner, neither reference teaches the step of the version control adapter receiving errors generated by the version control tool while implementing the version control command as recited in claims 11 and 27. Yet, even if some form of error messages were produced by Visual Source Safe 5.0 to the Visual Source Safe environment, the possibility of which is suggested by the Examiner, Applicants further submit that VSS does not teach or suggest that those error messages being received by a version control adapter, or a version control adapter capable of receiving those error messages as those elements are recited in claims 11 and 27. See also remarks under section C above.

Accordingly, Applicants respectfully request withdrawal of the objections to claims 11-13 and 27-29.

CONCLUSION

For at least the reasons stated above, Applicant requests withdrawal of the rejections to the pending claims. It is respectfully submitted that the application is now in condition for allowance.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 

Cary S. Kappel, Reg. No. 36,561
(signing for Thomas P. Canty, Reg. No. 44,586)

Davidson, Davidson & Kappel, LLC
485 Seventh Avenue - 14th Floor
New York, New York 10018
(212) 736-1940